



U.S. Department of Justice

Civil Division

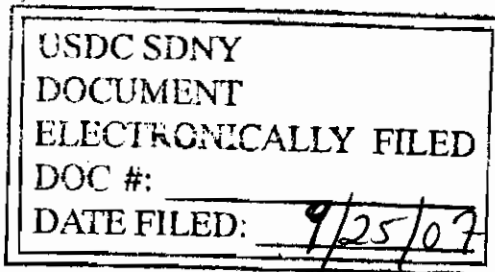
MEMO ENDORSED

Washington, D.C. 20530

September 24, 2007

BY FEDERAL EXPRESS

The Honorable Denise L. Cote
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl St., Room 1040
New York, NY 10007



Re: Thomas Wilner, et al. v. National Security Agency and Department of Justice,
Civil No. 07-3883 (DLC)

Dear Judge Cote:

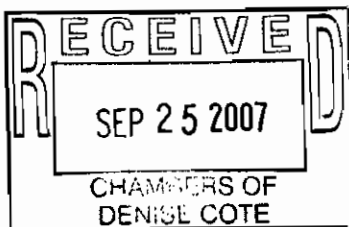
I am writing on behalf of the defendants in the above-referenced action to respectfully request a continuance of the initial pre-trial conference currently scheduled in the above-referenced case for Friday, September 28, 2007, due to a personal commitment on the part of undersigned counsel for defendants which poses an obstacle to travel to New York on that date. Undersigned counsel for defendants has conferred with counsel for the plaintiffs, Mr. Shayana Kadidal, Esq., who does not object to postponement of the conference. The parties have conferred concerning an alternative date, and both counsel are available on October 26, 2007, or thereafter. Undersigned counsel for defendants and Mr. Kadidal and co-counsel from the Center of Constitutional Rights for plaintiffs expect to appear in person, but Mr. Kadidal has requested that I convey the request that associated counsel for plaintiffs from Butler Rubin Saltarelli Boyd LLP in Chicago be allowed to attend the conference by telephone. Defendants have no objection to that request.

We appreciate the Court's attention to this scheduling matter.

Respectfully submitted,


PETER D. KEISLER
Assistant Attorney General, Civil Division

JOSEPH H. HUNT
Director, Federal Programs Branch



*Conference is adjourned to
October 26 at 12:30 pm
Denise Cote
September 25, 2007*

JOHN R. TYLER
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